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*Adm - 13 / MFR*



16 March 1973

MEMORANDUM FOR: Mr. George A. Carver, Jr.  
Special Assistant for Vietnamese Affairs

SUBJECT : North Vietnamese Overflight Protest

1. General Bevin has touched base with the following: NMCC, JRC, AF, PACAF, Navy, and NSA. All maintain that the North Vietnamese protest is without foundation. JCS was to be briefed this morning to the effect that the Defense Department can find no evidence of the alleged overflights.

2. While there is no evidence available in Washington, it is quite conceivable that locally controlled RF-4 reconnaissance jets flying missions south of the DMZ might have strayed slightly over North Vietnamese territory. It hardly seems possible that they would have flown as far north as Dong Hoi as alleged by the North Vietnamese.

3. Regarding coastal surveillance, no OLYMPIC MEET photo missions have been flown along the coast since 2 March. Daily OLYMPIC TORCH [redacted] missions have, however, been flown in the Gulf of Tonkin and have probably been picked up by radar. Additionally, [redacted] missions are flown in the Gulf of Tonkin, but usually at quite a distance from the coast.

4. All carrier-based reconnaissance reportedly is targetted against the South Vietnamese coastal areas. It is possible that one of the Navy RF-4s strayed either into North Vietnamese coastal waters or north of the DMZ, but unlikely.

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Washington Post Article

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be ones that will turn them towards peace rather than war," Mr. Nixon said.

### N. Vietnam Says U.S. Violated Cease-Fire

North Vietnam charged the United States yesterday with "blatant violation" of the cease-fire accord by sending jet fighters and reconnaissance planes over its territory and "clandestinely" shipping arms into South Vietnam.

American officials declined any immediate comment on the aircraft accusation, but said the arms shipment will be in conformity with the Vietnam accord.

Radio Hanoi said that on Monday "two U.S. jet fighters" intruded into North Vietnamese air space in the Vinhlinh and Donghoi regions, about 65 miles above the demilitarized zone. On Tuesday, the broadcast said, a U.S. reconnaissance plane "flew along the coast from Vinhlinh to Thanhhoa." Thanhhoa is 215 miles above the zone dividing North and South Vietnam.

From Saigon, the Associated Press reported that the U.S. Military Command refused to comment on the air charges,

but American sources acknowledged that U.S. planes possibly "got in too close" and, if the allegations are confirmed, corrective action will be taken.

U.S. officials noted a distinction in the language of the Jan. 27 Vietnam accord which they are interpreting as prohibiting American reconnaissance flights over North Vietnam, but permitting them over South Vietnam.

The language in the agreement, which put the cease-fire into force on Jan. 28, states that "the United States will stop all its military activities against the territory" of North Vietnam. In the case of South Vietnam, the agreement prohibits "all acts of force" by all parties. The United States in the past used this distinction in Vietnam to justify aerial reconnaissance during earlier halts in bombing.

North Vietnam's claim that the United States "has clandestinely delivered U.S. weapons and munitions" from bases in Japan to the Saigon government was denied at the State Department yesterday.

Spokesman Charles W. Bray said "There is a ship due to

said from Japan on March 18. This material "will be offloaded at Danang," where the United States is fully prepared to submit it to inspection of the International Commission of Control and Supervision, Bray said.